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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

HAROLD BLACK, Docket No. No. C 08-1344 SI  
Plaintiff, E-FILING CASE  
v.  
JOHN E. POTTER, Postmaster General,  
Defendant. STIPULATION AND [PROPOSED]  
ORDER RE DISCOVERY AND  
SUMMARY JUDGMENT MOTION

Plaintiff and Defendant, by and through their undersigned attorneys, hereby enter into the following stipulation and request its approval by the Court.

WHEREAS the deposition of third party Bob Williamson did not take place until February 26, 2010 and will take approximately 10 days for a transcript to be prepared.

WHEREAS Plaintiff took a 30(b)(6) deposition of defendant and the parties thereafter agreed that certain questions would be answered in writing by defendant rather than in deposition and that defendant will not be able to complete the written response until March 5, 2010.

WHEREAS the fact discovery cut off is February 27, 2010 and the deadline for defendant to move for summary judgment is March 5, 2010.

1 ACCORDINGLY, the parties agree that defendant should have until March 5, 2010 to  
2 respond to the written questions noted above, that any motion to compel further discovery  
3 responses should be 10 days from receipt of the discovery at issue, and that the schedule for  
4 summary judgment briefing and hearing should be continued by approximately two weeks.

Respectfully submitted,

8 | DATED: February 26, 2010

/s/  
VANCE WOODWARD  
Carroll, Burdick & McDonough LLP  
Attorneys for Plaintiff

11 JOSEPH P. RUSSONIELLO  
United States Attorney

13 || DATED: February 26, 2010

/s/  
MICHAEL T. PYLE  
Assistant U.S. Attorney  
Attorneys for Defendant

17 | PURSUANT TO STIPULATION, IT IS SO ORDERED:

18 1. Defendant shall have until March 5, 2010 to respond to the written questions posed by  
19 Plaintiff in lieu of being asked at a 30(b)(6) deposition;  
20 2. Any motion to compel further discovery responses shall be 10 days from receipt of the  
21 discovery at issue; and  
22 3. The summary judgment schedule is modified so that Defendant's motion is due to be filed  
23 on or before March 19, 2010, Plaintiff's opposition papers are due on or before April 2, 2010,  
24 Defendant's reply papers are due April 9, 2010 and the hearing will be held on April 23, 2010  
25 at 9 a.m. (instead of April 9, 2010 at 9 a.m.).

27 || DATED:

  
The Honorable Susan Illston  
United States District Court Judge